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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JOSE ZEPEDA ALCARAZ, an individual;  
MARIBEL ALCALA DE PEREZ, an  
individual,

Plaintiff,

v.

MARTEN TRANSPORT LTD, a  
corporation; JERRY WAYNE DUDLEY  
JR, an individual; and DOES 1 to 25  
inclusive,

Defendant.

Case No. 1:23-CV-00615-JLT-SKO

STIPULATION AND ORDER TO MODIFY  
SCHEDULING ORDER

Assigned to: Hon. Jennifer L. Thurston

Magistrate Judge: Hon. Sheila K. Oberto

Complaint Filed: March 9, 2023

Trial: March 4, 2025

Pursuant to Rules 6(b) and 29(b) of the Federal Rules of Civil Procedure and Pursuant to  
Local Rule 143 Plaintiffs JOSE ZEPEDA ALCARAZ and MARIBEL ALCALA DE PEREZ  
("Plaintiffs") and Defendants MARTEN TRANSPORT LTD and JERRY WAYNE DUDLEY JR  
("Defendants") (collectively the "Parties") hereby respectfully stipulate and request the Court  
amend the Scheduling Order (ECF No. 29) for good cause, and in support thereof would  
respectfully show the Court as follows:

1 On August 17, 2023, a Scheduling Conference was held; the Court set the following  
2 deadlines pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rule 240:

3 Non Expert Discovery: June 14, 2024

4 Expert Disclosures: August 1, 2024

5 Rebuttal Expert Disclosures: August 29, 2024

6 Expert Discovery: September 27, 2024

7 The Parties now seek to amend the aforementioned deadlines as follows:

8 Non Expert Discovery: August 16, 2024

9 Expert Disclosures: September 26, 2024

10 Rebuttal Expert Disclosures: October 24, 2024

11 Expert Discovery: November 22, 2024

12 Good cause exists to grant this joint stipulation and the Parties request this reset and  
13 amendment to the Scheduling Order for the following reasons:

14 The parties have been diligently conducting written discovery and plan to take the  
15 necessary fact depositions promptly. However, the scope and extent of Plaintiffs' alleged injuries  
16 and the resulting damages necessitates extensive discovery. Specifically, Plaintiff Jose Zepeda  
17 Alcaraz claims injuries to more than 10 body parts as a result of the crash in which his vehicle  
18 went over an embankment, and he has received treatment for accident-related injuries with more  
19 than 20 providers. Plaintiff Maribel Alcala de Perez also claims several discrete injuries and has  
20 treated with nearly 20 providers. Both Plaintiffs claim the accident caused them to suffer  
21 traumatic brain injuries. Plaintiffs are also investigating and pursuing the testimony of fact  
22 witnesses to the incident, and cannot guarantee all will be subpoenaed and deposed within the  
23 time prescribed.

24 Although the parties are making a concerted effort to complete all pending discovery, the  
25 Parties anticipate that they will not be able to comply with the current fact and expert discovery  
26 deadlines.

27 Moreover, the Parties have agreed to attend private mediation with Hon. Richard Stone,  
28 Ret., however, the Parties must first complete the pending discovery before they can engage in

1 meaningful settlement discussions.

2 The brief continuance may aid the facilitation of settlement, it will not cause any prejudice  
3 to the Parties or any third-party, and it is not requested for any improper purpose.

4  
5 Dated: 5/8/2024

CLARK HILL LLP

By: /s/ Bradford G. Hughes

Bradford G. Hughes

Seta Sarabekian

7 Attorneys for Defendants MARTEN TRANSPORTS  
8 LTD and JERRY WAYNE DUDLEY JR.

9 Dated: 5/8/2024

BD&J, PC

By: /s/ Jennifer Bagosy

Olivier Taillieu

Jennifer Bagosy

11 Attorneys for Plaintiffs JOSE ZEPEDA ALCARAZ  
12 and MARIBEL ALCALA DE PEREZ

**ORDER**

Pursuant to the parties' foregoing stipulation (Doc. 30), and for good cause shown (*see* Fed. R. Civ. P. 16(b)(4)), the Scheduling Order (Doc. 25) is MODIFIED as follows:

	<b>Previous Deadline</b>	<b>New Deadline</b>
Non-Expert Discovery	June 14, 2024	August 16, 2024
Expert Disclosures	August 1, 2024	September 26, 2024
Rebuttal Expert Disclosures	August 29, 2024	October 24, 2024
Expert Discovery	September 27, 2024	November 22, 2024
Non-Dispositive Motion Deadline	Filing: October 4, 2024 Hearing: November 6, 2024	Filing: December 6, 2024 Hearing: January 15, 2025
Dispositive Motion Deadline	Filing: October 11, 2024 Hearing: November 15, 2024	Filing: December 13, 2024 Hearing: January 17, 2025
Deadline to Provide Proposed Settlement Conference Dates	December 4, 2024	February 12, 2025
Pre-Trial Conference	January 6, 2025	March 17, 2025
Trial	March 4, 2025	May 13, 2025

IT IS SO ORDERED.

Dated: **May 9, 2024**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE